

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:10-CV-14-D

GEORGE COOPER, SR., and
GEORGE COOPER, JR.,

Plaintiffs,

v.

BRUNSWICK COUNTY SHERIFF'S
DEPARTMENT, JAMES SHEEHAN,
BRIAN CARLISLE, RONALD HEWETT,
DAVID CROCKER, GENE CAISON,
KEVIN HOLDEN, and JOHN INGRAM,

Defendants.

ORDER

On February 7, 2011, Magistrate Judge Daniel issued an Order and Memorandum and Recommendation ("M&R") [D.E. 36]. In the order and M&R, Judge Daniel denied plaintiffs' motion to amend the complaint without prejudice [D.E. 24], and recommended that defendant Brunswick County Sheriff's Department's motion to dismiss [D.E. 27] be granted. No party filed objections to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the [magistrate judge's] report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (alteration in original) (emphasis removed) (quotation omitted). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Id. (quotation omitted).

The court has reviewed the order and M&R and the record. The court is satisfied that there is no clear error on the face of the record. The court adopts the M&R [D.E. 36]. Defendant

Brunswick County Sheriff's Department's motion to dismiss [D.E. 27] is GRANTED. The Brunswick County Sheriff's Department is DISMISSED as a defendant.

SO ORDERED. This 23 day of February 2011.


JAMES C. DEVER III
United States District Judge